

1                                   **CITY COUNCIL OF THE CITY OF ANNAPOLIS**

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3                                   **ORDINANCE NO. O-14-03**

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5                                   **Introduced by Mayor Moyer**

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8                   **AN ORDINANCE** concerning

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10                                   **LEASE OF CITY PROPERTY**  
11                                   **TO SOUTHWESTERN BELL MOBILE SYSTEMS, LLC**

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14           **FOR** the purpose of approving the lease of certain city owned property to Southwestern  
15           Bell Mobile Systems, LLC, (d/b/a) Cingular Wireless; and all matters relating to said  
16           lease.

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18                                   \* \* \* \* \*

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20           **WHEREAS,** the City is constructing, and on completion will own, maintain and operate an  
21           Elevated Water Tank located at 206 Janwal Street in the City of Annapolis;  
22           and

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24           **WHEREAS,** the City presently owns and operates an Existing Water Tank on the same  
25           property, and has an existing agreement with Southwestern Bell Mobile  
26           Systems, LLC through December 14, 2012; and

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28           **WHEREAS,** upon completion of the Elevated Water Tank, the City intends to remove the  
29           Existing Water Tank ;and

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31           **WHEREAS,** the City and Southwestern Bell Mobile Systems, LLC desire to enter into an  
32           amended lease agreement by which Southwestern Bell Mobile Systems, LLC  
33           may relocate their communication facility to the Elevated Water Tank; and

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35           **WHEREAS,** the City hereby finds that the leased property is not needed for exclusive  
36           public use; and,

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38           **WHEREAS,** the City is willing to lease the premises to Southwestern Bell Mobile Systems,  
39           LLC for the purposes, and in accordance with the terms and conditions set  
40           forth in the Agreement attached.

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42                   **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
43           **COUNCIL** that the proposed Agreement, a copy of which is attached hereto and made a  
44           part hereof, between Southwestern Bell Mobile Systems, LLC, (d/b/a) Cingular Wireless  
45           and the City for the lease of certain municipal property, is hereby approved and authorized.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.

**ADOPTED** this 8<sup>th</sup> day of September, 2003.

**ATTEST:**

**THE ANNAPOLIS CITY COUNCIL**

\_\_\_\_\_  
Deborah Heinbuch, CMC/AE  
City Clerk

**BY:** \_\_\_\_\_  
**ELLEN O. MOYER, MAYOR**